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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

April 4, 2001

BY HAND DELIVERY

Magalie Roman Salas
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: Petition for Declaratory Ruling under Section 310(b)(4) of the
Communications Act of 1934, as Amended
Amendment
IB Docket No. 00-187

Dear Ms. Salas:

Cook Inlet/VS GSM IV PCS, LLC ("CIVS IV") and Cook Inlet/VS GSM V PCS, LLC ("CIVS V"), by their attorneys, hereby respectfully request to amend the above-referenced Petition for Declaratory Ruling (the "Petition"), filed on October 13, 2000, to allow indirect foreign ownership in CIVS IV and CIVS V and their wholly owned subsidiaries resulting from the consummation of the transaction between VoiceStream Wireless Corporation ("VoiceStream") and Deutsche Telekom AG ("DT")¹ in excess of the twenty-five percent statutory benchmark pursuant to Section 310(b)(4) of the Communications Act.

CIVS IV and CIVS V request that the Commission amend this Petition in two respects. First, since the Petition was submitted, CIVS IV has acquired a new wholly owned subsidiary, BCN Communications L.L.C. ("BCN").² BCN, like CIVS IV and CIVS IV's other wholly owned subsidiary, CIVS IV License Sub I, LLC ("Sub I"), will hold and operate certain

¹ Applications related to the VoiceStream-DT transaction were filed with the Commission on September 18, 2000. *See VoiceStream Wireless Corporation, Powertel, Inc. and Deutsche Telekom AG Seek FCC Consent to Transfer Control of Licenses and Authorizations and Request Declaratory Ruling Allowing Indirect Foreign Ownership*, IB Docket No. 00-187, Public Notice (Oct. 11, 2000).

² BCN became a wholly owned subsidiary of CIVS IV on January 24, 2001. *See* File No. 0000262664.

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personal communications services licenses. Therefore, CIVS IV hereby requests that any declaratory ruling issued by the Commission in connection with the Petition also apply to authorize the resulting indirect foreign ownership in BCN. BCN, as a wholly owned subsidiary of CIVS IV, will have the same attributable indirect foreign ownership as CIVS IV. Thus, the inclusion of BCN will not materially change the Commission's analysis of the foreign ownership issues. Such an extension is in the public interest for same reasons set forth in the original Petition for CIVS IV and CIVS V.

Second, since the Petition was submitted, CIVS IV and CIVS V separately have filed petitions for declaratory ruling requesting the Commission to issue declaratory rulings to allow indirect foreign ownership in excess of the statutory benchmark, which may occur when these licensees' respective holding companies exercise their right to call additional capital from VoiceStream up to the point where VoiceStream would have an eighty five percent equity stake in the holding companies and licensees.³ Although one of these petitions is still pending and neither CIVS IV nor CIVS V have yet exercised their right to call additional capital from VoiceStream, CIVS IV and CIVS V respectfully request that the Commission extend its ruling regarding CIVS IV's and CIVS V's foreign ownership in connection with its ruling in the VoiceStream-DT transaction to allow CIVS IV and CIVS V the same flexibility to structure their businesses after the VoiceStream-DT transaction closes.

Under the current structure, Cook Inlet Region, Inc. ("CIRI"), through its wholly owned subsidiary, has the sole authority to manage the operations of CIVS IV, CIVS V and their subsidiaries, including the authority to appoint, promote, demote and fire senior executives that control the day-to-day activities of its subsidiaries. As explained in previous filings, CIRI will retain all management authority over CIVS IV, CIVS V and their subsidiaries even if additional capital is called from VoiceStream. Therefore, VoiceStream's increased equity ownership in these entities will have no impact on their business and operations and thus should have no material impact on the Commission's public interest analysis of the foreign ownership issues in connection with the VoiceStream-DT transaction. Indeed, the public interest factors set forth in the original Petition in support of a favorable ruling should apply with equal force regardless of whether VoiceStream owns 49.9 or up to eighty five percent of the equity of these entities.

Based on the foregoing, CIVS IV and CIVS V hereby request that any declaratory ruling issued by the Commission in connection with this Petition be amended to apply to BCN as well as to CIVS IV, CIVS V and Sub I, as well as to the potential increased equity investment by VoiceStream in CIVS IV and CIVS V.

³ File No. ISP-PDR-20010104-00001 (granted Feb. 14, 2001); File No. ISP-PDR-20010212-00010 (PN Mar. 23, 2001). Under the Commission's streamlined process, the grant of this petition is expected on April 6, 2001.

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Please feel free to contact the undersigned counsel if you have any questions regarding this request to amend the Petition.

Respectfully submitted,

**Cook Inlet/VS GSM IV PCS, LLC
Cook Inlet/VS GSM V PCS, LLC
BCN Communications, L.L.C.
CIVS IV License Sub I, LLC**



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